

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CASA DE MARYLAND, INC., et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official
capacity as President of the United States,
et al.,

Defendants.

No. 8:19-cv-2715-PWG

JOINT STATUS REPORT

In response to this Court's October 5, 2021, Paperless Order, ECF No. 154, the Parties file the following status report:¹

The posture of the various cases challenging the Department of Homeland Security's now-vacated Public Charge Rule remains largely unchanged. As of Plaintiffs' most recent Status Report, ECF No. 153, the States of Texas, Alabama, Arizona, Arkansas, Indiana, Kansas, Kentucky, Louisiana, Ohio, Oklahoma, Mississippi, Montana, South Carolina, and West Virginia ("the States") were engaged in ongoing efforts to intervene in cases challenging the Public Charge rule that originated in the Northern District of Illinois and district courts in the Ninth Circuit. Those efforts continue.

On August 17, 2021, the Northern District of Illinois denied the States' motion to intervene in the case before that court as well as their related motion for relief from judgment. *Cook County v. Mayorkas*, No. 19-cv-6334, ECF No. 285, 2021 WL 3633917 (N.D. Ill. Aug. 17,

¹ The Parties have consulted with the Plaintiffs in *City of Gaithersburg v. U.S. Department of Homeland Security*, No. 8:19-cv-2851-PWG (D. Md.), who agree with the contents of this Status Report.

2021). The States appealed that decision to the Seventh Circuit and filed their opening brief on appeal on November 3, 2021. Appellees' brief is due on January 18, 2022; and the States' reply is due on February 8, 2022.

On October 29, 2021, the Supreme Court granted the States' petition for a writ of certiorari seeking review of the Ninth Circuit's denial of the States' motion to intervene. Order, No. 20-1775, *Arizona v. City & County of San Francisco* (S. Ct. Oct. 29, 2021). Merits briefing in the Supreme Court is ongoing, with the States' opening brief due on December 13, 2021.

The Parties continue to anticipate that this case can be resolved expeditiously if the States' various efforts to intervene in the cases challenging the Public Charge Rule are denied. Because briefing will be continuing for the next few months in both the Supreme Court and the Seventh Circuit, the Parties propose that they be permitted to file the next joint status report in 90 days, rather than 60 days. Accordingly, the Parties propose that they file another joint status report by March 4, 2021.

Dated: December 3, 2021

Respectfully submitted,

/s/ Mary B. McCord
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CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2021, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Mary B. McCord
Mary B. McCord